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VIA ECF

The Honorable Jesse M. Furman  
 Thurgood Marshall  
 United States Courthouse  
 40 Foley Square  
 New York, NY 10007

May 9, 2023

Re: *United States v. Pedro Ornelas, et al.*, 22 Cr. 552 (JMF)

Dear Judge Furman:

We write on behalf of our client Jordany Cruz in the above-captioned case to respectfully request that Mr. Cruz be given until May 31, 2023 to determine whether he has any pretrial motions to file.

When we were appointed as substitute counsel for Mr. Cruz on March 29, 2023, we were asked to inform the Court whether we had motions to file by May 10, 2023. Although we have been working diligently to debrief our client and review the voluminous discovery since our appointment, we have not yet completed that process. Specifically, we determined last week that when the case file was transferred to us in late March, we did not receive approximately 1.3 TB of Rule 16 discovery materials that the government had originally provided to prior counsel. The government is now in the process of reproducing those materials directly to us, but we do not yet have them.

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Once we have received and preliminarily reviewed these discovery materials, we will be in a position to determine whether we have pretrial motions to file. We believe we will be able to make that determination on or before May 31, 2023. Accordingly, we respectfully request that we be permitted to inform the Court on or before May 31, 2023 whether we have motions to file, and if we do, in the same communication to propose a briefing schedule for such motions that is acceptable to both parties.

Respectfully Submitted,

  
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/s/  
Nola B. Heller

Cc: All counsel of record (via ECF)

Application GRANTED. Counsel to Mr. Cruz shall file a letter by May 31, 2023, indicating whether he has any motions to file. Unless and until the Court orders otherwise, any motion by Mr. Cruz shall be filed by June 14, 2023; any opposition shall be filed by June 28, 2023; and any reply shall be filed by July 7, 2023.

The Clerk of Court is directed to terminate Doc. #77.

SO ORDERED.

May 9, 2023